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12
13 IN THE UNITED STATES DISTRICT COURT
14
15 FOR THE DISTRICT OF ARIZONA

16 United States of America,
17
18 Plaintiff,
19
20 vs.
21 Ariana Elizabeth Haro,
22
23 Defendant.

24 CR 16-0750-TUC-JAS-2
25 GOVERNMENT'S SENTENCING
26 MEMORANDUM

27 The Plaintiff, by and through its attorneys undersigned, hereby submits the
28 following sentencing memorandum. The sentencing is currently set for August 18, 2016.

The government concurs with the guideline calculation in the Draft PSR and the recommended sentence of 8 months. Pursuant to the plea agreement, the defendant can argue for a downward variance. The government opposes one in this case.

When considering the sentencing factors set out in 18 U.S.C. §3553, the Court must consider the need for the sentence to serve as a deterrent, not just for the defendant but for others who might see drug smuggling as a way to make money. The defendant was arrested at a border patrol checkpoint on Highway 90 near Whetstone. She was driving a rental car with 14.9 kilograms of marijuana in the trunk. She and the co-defendant had driven down to Mexico to pick up the drugs. She agreed to participate in criminal activity for \$900. This sentence must deter her from doing this again.

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1 The sentence must also protect the public from further crimes of the defendant. The
2 defendant agreed to work for a drug trafficking organization. These organizations engage
3 in violence to protect their business and their profits. This is the defendant's second felony
4 conviction. (PSR ¶ 22.) She has been convicted of two misdemeanor crimes including
5 assault. (PSR ¶¶ 21, 23.) The defendant poses a threat to people in the community mostly
6 due to her drug use.

7 A sentence of 8 months is "sufficient but not greater than necessary" to comply with
8 the purposes of sentencing set forth in 18 U.S.C. §3553.

9 WHEREFORE, the government requests that the defendant to be sentenced to 8
10 months with three years supervised release to follow.

11 RESPECTFULLY submitted this 9th day of August, 2016.

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13 JOHN S. LEONARDO
14 United States Attorney
15 District of Arizona

16 *s/Ann DeMarais*

17 Ann DeMarais
18 Assistant U.S. Attorney

19 Copy of the foregoing served
20 Electronically or by other means,
21 this 9th day of August, 2016 to:

22 Harriette P. Levitt
23 Michael D. DelSignore, PO
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